

**CALIFORNIA HIGH-SPEED RAIL AUTHORITY  
DUTY STATEMENT**

**PARF # 46-9-097**

<b>CLASSIFICATION TITLE</b> Attorney IV	<b>OFFICE/BRANCH</b> Legal	<b>LOCATION</b> Sacramento
<b>WORKING TITLE</b> Attorney	<b>POSITION NUMBER</b> 311-001-5780-001	<b>EFFECTIVE</b> 03/04/2019

**GENERAL STATEMENT:**

Under the general direction of the Chief Counsel, the Attorney IV works on the most difficult legal assignments. The incumbent studies, interprets and applies laws, court decisions and other authorities to help the Authority meet its objectives and goals compliant with the law. The incumbent also advises Authority decision makers about legal risk, so decision makers can balance that risk against other risks and factors. The incumbent works with the most broad discretion and independence with minimum supervision and is expected to have advanced knowledge and be an expert in the most complex areas of the law within most of the following subject matters: construction contracting, administration and claims, public works, design/build, infrastructure, contracts, real property, environmental laws, state legislation and state and federal laws and regulations affecting the above. The incumbent works closely with, and directs, private outside counsel and the Attorney General's Office regarding legal advice and litigation.

**TYPICAL DUTIES:**

Percentage      Job Description  
Essential (E)/Marginal (M)

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|---------|--|
| 40% (E) | <ul style="list-style-type: none"><li>• Prepares, negotiates and approves complex contract specifications and terms, construction contracts and related construction documents, including innovative project delivery models such as design-build and public private partnerships. Evaluates disputes and claims developed during construction and makes recommendations regarding disposition of same. Related to the prior sentence, analyzes and appraises legal problems and related business and policy goals and applies legal principles and precedents to particular sets of facts to come to decision and/or recommendation. Plans and directs a program of complex legal work and leads the work of assistants and others.</li></ul>   |
| 25% (E) | <ul style="list-style-type: none"><li>• Reviews various aspects of the Authority's project planning, implementation and business structure and arrangements for compliance with applicable law. Provides advice, counsel and recommendations regarding the above to Authority executive decision makers.</li></ul>   |
| 25% (E) | <ul style="list-style-type: none"><li>• Directly or through supervision of public or private outside counsel, prepares and conducts actions and proceedings before courts and administrative bodies. Applies legal principles and practices with particular reference to the law of eminent domain, public tort liability, contracts and contract claims, laws governing public officers and agencies, Public Contract Code and the statutes and constitutional provisions governing the organization and conduct of the work of the Authority. Ensures that assigned contracts and agreements are administered and managed in accordance with the applicable policies and procedures of the Authority, the State Contracting Manual (SCM) and the California Government Code (GC), as practicable given the scope/nature of the contract as well as competing duties, tasks and</li></ul> |

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responsibilities, and to the extent the scope/nature of the assigned contracts and agreements inherently in their natural and usual implementation match the intent of the applicable policies and procedures.

10% (E)

- Conducts legal research, development and counseling. Writes clear and concise reports, opinions and complex legal correspondence; presents oral statements of fact, law and arguments clearly and logically. Effectively negotiates with outside parties to help the Authority meet its goals. Effectively contributes to the Authority's safety, health and labor relations objectives. Drafting and legal review of proposed legislation.

### **KNOWLEDGE AND ABILITIES:**

Knowledge of: Legal research methods and performing research; legal principles and their application; scope and character of California statutory law and of the provisions of the California Constitution; principles of administrative and constitutional law; trial and hearing procedure; and rules of evidence; court procedures; administrative law and the conduct of proceedings before administrative bodies; legal terms and forms in common use; statutory and case law literature and authorities; and provisions of laws and Government Code sections administered or enforced

Ability to: Research; analyze, appraise, and apply legal principles, facts, and precedents to legal problems; analyze situations accurately and adopt an effective course of action; prepare and present statements of fact, law, and argument clearly and logically in written and oral form; prepare correspondence involving the explanation of legal matters; draft opinions, pleadings, rulings, regulations, and legislation; negotiate effectively and conduct crucial litigation; work cooperatively with a variety of individuals, organizations and maintain the confidence and respect of others; and work effectively under pressure.

### **DESIRABLE QUALIFICATIONS:**

Familiarity with:

- Law relating to railroads; American Recovery and Reinvestment Act (ARRA) and other federal aid statutes relating to high-speed rail.
- California law relating to acquisition, financing, administration and construction of public works projects; law governing the relations of the Authority with public utilities and public agencies.
- Trial and appellate court procedure and of the rules of evidence; methods used in appraising real property and of the problems involved in negotiating for rights of way.
- Environmental laws pertaining to the agency, including National Environmental Policy Act, California Environmental Quality Act, the Clean Air Act, the Clean Water Act, Comprehensive Environmental Response Compensation Liability Act and Resource Conservation and Recovery Act.

### **SUPERVISION EXERCISED OVER OTHERS:**

An Attorney IV does not supervise lower level attorney staff, but may act in a lead capacity.

**PUBLIC AND INTERNAL CONTACTS:**

Attorneys, judges, other court personnel and members of the public. Various members of the Authority (at the highest level), other state agencies, local and federal agencies. Staff of the U.S. and State Legislative Branch.

**CONSEQUENCE OF ERROR/RESPONSIBILITY FOR DECISIONS:**

Errors may have a significant impact on the internal and external operations of the Authority. The incumbent should exercise a high degree of initiative and independent judgment in regularly performing the most difficult duties. Able to maintain confidentiality of sensitive personnel related work.

**PHYSICAL, MENTAL, AND EMOTIONAL ABILITIES:**

Must be able to work appropriately and effectively under stress, manage complex and varied workload and meet deadlines. Must also work well with all levels of Authority staff, the courts, opposing counsel, consultants, members of the public and others.

**WORK ENVIRONMENT:**

Employee will work in a climate-controlled office under artificial light. However, due to periodic problems with the heating and air conditioning, the building temperature may fluctuate. Office space consists of modular furniture appropriate for this classification.

I have read and understand the duties listed above and can perform them with or without reasonable accommodation. (If you believe you may require reasonable accommodation, please discuss this with the hiring supervisor. If you are unsure whether you require reasonable accommodation, inform the hiring supervisor who will discuss your concerns with the Reasonable Accommodation Coordinator.)

Name of Employee: \_\_\_\_\_

Signature:	Date:
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I have discussed the duties with and provided a copy of this duty statement to the employee named above.

Name of Supervisor \_\_\_\_\_

Signature:	Date:
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